

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Civil No. 05-5135
Criminal No. 03-50049-001

DONACIANO RODRIGUEZ-MERCADO

DEFENDANT

O R D E R

Now on this 13th day of December, 2005, come on for consideration the **Magistrate Judge's Report And Recommendation** (document #35), and the **Magistrate Judge's Report And Recommendation** (document #38), to which no objections have been made, and the Court, having carefully reviewed both Reports And Recommendations, finds that they are sound in all respects, and that they should be adopted *in toto*.

IT IS THEREFORE ORDERED that both **Magistrate Judge's Reports And Recommendations** are adopted *in toto*.

IT IS FURTHER ORDERED that, for the reasons stated in the **Magistrate Judge's Reports And Recommendations**, defendant's petitions brought pursuant to 28 U.S.C. §2255 are hereby **denied and dismissed**.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE